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ABSTRACT

The founding and missions of Georgetown University and George Washington University, two early land-grant colleges, are considered. The account is based partially on standard histories of the colleges, and other information comes from Congressional Records. Some understanding of why Congress took an interest in the founding and survival of Georgetown and Columbia (George Washington) Colleges may be gained by a realization of the strong pressures for a national university. Georgetown College was established in 1789, one year before the Act providing for a federal territory for the central government passed the Congress. Columbia College was established in 1821. Both colleges sought financial help from the federal government to carry out their educational missions. The major grants were in the form of city lots in the District of Columbia. At the time of chartering of the colleges, Congress made sure that there was access without religious bars. Georgetown's failure to receive full benefits from the land grant is considered. Charters of the colleges are appended. (SW)

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ORIGINS AND MISSIONS OF TWO EARLY LAND-GRANT COLLEGES: GEORGETOWN UNIVERSITY AND GEORGE WASHINGTON UNIVERSITY.

A Research Paper

for the Panel on

Historical Perspectives on the

Public Interest in Higher Education

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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Association for the Study of Higher Education

Washington,D.C.

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Persons with considerable knowledge of the development of higher education, even recognized authorities in this field, may be unaware of the early land grants by Congress to private, church-sponsored colleges. The substantial land grants of 1832 and 1833 give insights on the Congressional view of the mission of the first two colleges in the Federal District. It is evident that what is now called government relations or the politics of higher education have roots dug deep in the early decades of our national government.

It seems appropriate that a panel session of the historical interest group of ASHE spend a half hour reviewing aspects of the public interest in the establishment and survival of Georgetown College and Columbia College, now George Washington University.

Many issues which are current today were also important in the first decades of the 19th Century. Besides those concerned with the strategy and tactics of government relations, these include the Federal Government's interest in non-discriminatory practices, and government aid to church colleges.

The land grants to Columbia College (George Washington) and Georgetown College were intended by Congress to be of equal value: $25,000 worth of lots within the District of Columbia. While in our day, especially now with rampant inflation, $25,000 worth of land might seem a small grant. But in 1832 and 1833 that was a huge grant. $25,000 was a princely sum, and the value of lots within the District was low. It will be recalled that by will George Washington left stock he judged to be worth $25,000 for the establishment of a National University.

As will be recounted later, the lots eventually given to Georgetown seven long years after the Act of Congress were worth far less than the $25,000. Yet President Martin Van Buren declined to take any action to redress the inequity. At the time Van Buren was preparing for a re-election campaign. He had been a very unpopular President and suffered an overwhelming defeat in his contest with General William Henry Harrison. But in those days the Catholic vote was negligible so Van Buren insensitivity to Georgetown's problem made no waves throughout the States.

Washington,D.C. is an unique site for study of the politics of education because, except for two periods, Congress has been the local government as well as the national government for the area. The District has had Home Rule only twice: once after the Civil War for a few years, and the current period.

Catholic University of America was incorporated (not chartered by Congress) in the post-Civil War Home Rule period. The four other Universities - Howard and American, in addition to George Washington and Georgetown - were all chartered directly by acts of Congress. Each of these Universities is private and each, including Howard which has always received substantial Federal funding, was church-sponsored. George Washington was sponsored by the Baptists, Howard's start came from the First Congregational Society, American University was a project of the Methodist Church. Georgetown and Catholuc University are both Catholic Church related but essentially of a different institutional character: Georgetown is a Jesuit institution, though in recent years

it become secular; Catholic University was founded directly under the auspices of the American Catholic Bishops and remains under their direct control.

What follows is based partially on standard histories of Georgetown and George Washington. Other information comes from Congressional Records. The most interesting data are in a letter written by Thomas Carbury and William Hickey on June 4,1840 to President Van Buren. This letter was located for this writer by Joseph E. Jeffs, University Librarian, at Georgetown. So far as is presently known,the first references to the letter appeared in my doctoral dissertation in 1975 at Teachers College, Columbia University. (A Study of the Political Dimension of Private Higher Education: Government Relations of Five Universities and a Consortium in Washington,D.C. Committee: Professors Walter E. Sindlinger and Donna E. Shalala.) (Xerox University Microfilms, Ann Arbor,MI 48106 #75-20,221).

Some understanding of why Congress took an interest in the founding and survival of Georgetown and Columbia Colleges may be gained by a realization of the strong pressures for a national university. At the Constitutional Convention held in Philadelphia in 1787 several proposals were made for a National University. In a draft of a Constitution written by Charles Pinckney of South Carolina there was provision for the establishment of "Seminaries for the promotion of literature and the arts and sciences."

James Madison was specific:

> Congress should be enabled to establish a university in the place of the General Government and should possess executive jurisdiction over

> the institution. It should be specified that all persons should be admitted to the university and to its honors and emoluments, without any distinction of religion whatever. (1)

Gouverneur Morris of Pennsylvania argued that it was not necessary to grant Congress the power to establish a university in the District of Columbia because Congress would clearly have such a power.

Not long after his inauguration Washington brought the National University proposal to the attention of Congress. Blackmar noted that this was on January 8,1790:

> In his first message to Congress Washington says, "Nor am I less persuaded that you will agree with me in the opinion that there is nothing desrving your patronage more than the promotion of science and literature..... Whether this desirable object will be best promoted by affording aid to seminaries of learning already established, by the institution of a national university, or by any other expedients, will be well worthy of a place in the deliberations of the legislature. (2)

The origins of higher education in what became the District of Columbia may be traced to Georgetown College, established in 1789, one year before the Act providing for a federal territory for the central government passed the Congress. It was not until the beginning of 1891 that President George Washington had selected the general site which he decided should include the town of Georgetown. Georgetown had become incorporated only at the end of 1789, although the town had been authorized by the Maryland legislature in 1751.

Georgetown College's first student reported November 22, 1791. He was William Gaston who 24 years later introduced the Bill in Congress which resulted in the granting of a charter to Georgetown College. At this time Major Pierre Charles L' Enfant developed a plan for the nation's capital. On his original plan one area, not far from the proposed presidential mansion, on a hilltop overlooking the Potomac was designated as the site of a national university.

In 1793, two years later, President Washington laid the cornerstone of the Capitol Building. By then the Academy at Georgetown had enrolled more than 70 students, including three sons of the first mayor of Georgetown and a son of the first Secretary of the Navy. Hence it may be suggested that Georgetown College's

involvement with governmental life began simultaneously with the transfer of the U.S. Government to the District of Columbia.

George Washington took an interest in the new school on the hilltop overlooking both the Potomac and the Federal District. In the late 1790's among the students at Georgetown were two relatives, Augustine and Bushrod Washington. Perhaps for this reason, or on account of his general interest in education, Washington visited the College, reportedly on August 7, 1797. In March of that year Washington had stopped in the town of Georgetown and listened to a speech of welcome made on behalf of the students and the faculty of the College. At that time, or on his visit to the campus, Washington was reported to have been fascinated by the school uniform of blue coat and pants, and red waistcoat with large yellow buttons. On July 10, 1798 the President of Georgetown College, Father William DuBourg, together with one of the professors and two of the students, dined at Mount Vernon as guests of General Washington.

What effects these contacts had in connection with the welfare of Georgetown or with the development of George Washington's thinking on the future of higher education in the United States are unknown. However, they suggest topics for speculation. In view of all that has been learned since about the values of government relations it seems safe to assume that the contacts with the distinguished former President and leader of the country would be valuable, for prestige purposes, if nothing else. On Washington's

part, it may well be that his interest in Georgetown College may have increased his determination to encourage the establishment of a national university. His role in this matter was discussed in the last Chapter.

For their part the priests, all former Jesuits - (the Society of Jesus had been suppressed at the time of the establishment of the school at Georgetown) - were primarily interested in educating laymen and preparing some for seminary training.

In 1797 Father DuBourg was commissioned by the directors of Georgetown to rent a house for non-Catholic students who wished to attend the school. This formalized a plan outlined by Bishop John Carroll, founder of Georgetown, that "the reverend brethren were ready and able to instruct all who resort to them in useful learning and those of our religion in its principles and duties." (3)

At that time such an "open door," religiously speaking, was unusual in American colleges. It certainly was a factor that helped to account for the growth in students and the standing in the community of the new College at Georgetown.

In view of this broad admissions policy it may be puzzling why no effort apparently was ever made to have Georgetown become the national university, advocated by Washington and others. One explanation may be that the College was under Catholic sponsorship.

Until 1798 the title to the College was held in the names of temporary trustees, Bishop Carroll, Father Molyneux and Father Ashton.

On December 4, 1798 the property was transferred to the Corporation of Roman Catholic Clergymen, a corporation established by the Maryland Legislature in 1793. Under provisions of an Act passed by that body, the Corporation of Roman Catholic Clergymen was empowered to receive donations for Georgetown College.

From the time of its founding until after the end of the War of 1812 Georgetown had a troubled history. There were financial difficulties and management difficulties. Eventually the Society of Jesus (Jesuit Order) was restored and took control of Georgetown College. On August 24, 1814 the British entered Washington and burned the Capitol Building. The then President of Georgetown, Father John Grassi, and students on the College grounds, witnessed the event. One faculty member wrote that the flames "were so great a person could read at the College," a distance of 4 miles.

Georgetown faced a serious crisis - the possible loss of its buildings to serve as the meeting place of the Congress. Father Grassi and Archbishop Carroll determined to resist the take-over without "giving offense to the people of America." They were afraid that the College would have been put out of business permanently. Here was a delicate matter of governmental relations, for few colleges have been threatened with such a take-over. When the college officials were formally asked by the Mayor of Georgetown (who was eager to have Congress there) to offer the facilities to Congress, the proposal was rejected by the committee of the Congress seeking a place of greater safety. One explanation

was that Georgetown was too near to be a safe refuge.

With the British no longer threatening the City and the question of control of the College settled in the hands of the Jesuits, it was decided that the time had come to seek a Federal Charter. The petition was made on behalf of the President and the Directors of Georgetown. The directors were all Jesuits. The legislative history of the Bill granting Georgetown's first charter seems to have been uneventful. William Gaston introduced the bill in the House on January 27, 1815. It was passed by that chamber on February 4th. The Senate passed the measure without amendment on February 27, 1815. It was signed on March 1, 1815 by President James Madison. The text of the brief Act appears in Appendix I. Basically the Charter granted the right to award "any degree in the faculties, arts, sciences, and liberal professions, to which persons are usually admitted in other Colleges or Universities of the United States."

In 1819, four years after the Congressional Charter granted to Georgetown College, the Baptist Church determined to establish a College in the District of Columbia. An impressive list of sponsors was assembled including President James Madison, other prominent officials and a number of members of Congress. In 1820 the group sought a Charter from Congress for an institution "for evangelical and literary purposes." This attempt was unsuccessful.

In the following year, 1821, Congress approved a Charter for Columbian College. The proposal which passed differed from the

one not approved the year before in that a provision was inserted which specified that the institution would have what today would be called a non-discriminatory admissions policy. The Columbian College would accept students "of every religious denomination."

Columbian College came very near becoming the official National University of the United States. In a letter dated March 28, 1820 President Monroe hailed the new establishment in these words:

> The establishment of the institution within the Federal district, in the presence of Congress and of all the departments of the Government, will secure to those who may be educated in it many important advantages, among which are the opportunity to hear the debates in Congress and in the Supreme Court.....If it receives hereafter the proper encouragement, it can not fail to be eminently useful to the nation. (4)

Initially this Baptist-sponsored College was granted use of space in the U.S. Capitol building. In 1822 it moved to its own headquarters. Both Congress and the U.S. Supreme Court adjourned sessions December 15, 1824 so that members could attend the first commencement of Columbia College. Quattlebaum reported that the guest list on that occasion included President Monroe, John Quincy Adams, John C. Calhoun, Henry Clay and the Marquis de Lafayette.

The year prior to the commencement, 1823, which was the first year of regular operation of Columbian College Congress passed an Act providing grounds for a botanical garden. (5)

Even more significant of the government relations of the Columbian College was the assistance provided by Congress when the institution was threatened with financial disaster. On March 19, 1828 an Act was approved cancelling all the loans which had been made to Columbian College by the United States government. The Act also released to the College "all property heretofore pledged to the United States in security of the said debts. . . ." Even greater assistance was given in a Land Grant July 14, 1832. This help to Columbian College was in the form of lots within the District of Columbia valued at $25,000. Eleven years later, on February 28, 1839, an Act was approved allowing Columbian College to sell enough of the lots to raise $7,000 to pay debts, although the purpose of the Land Grant was to raise money for capital, with dividends and interest used to establish and endow professorships.

Congress' Land Grant to Columbian College was approved by President Jackson. In the Congressional debates account had been taken of the acknowledged "utility of a central literary establishment" and also of the failure up to that time of the Congress to provide for a National University as urged by

President Washington and his successor Presidents. (6)

A measure of the growing sophistication of the Congress, and the skill in government relations of the educators concerned, may be seen in the differences between the Charter granted Georgetown College in 1815 and the Charter approved for Columbian College in 1821. The former document does no more than authorize the granting of degrees; the latter is more than twelve times longer. (See Columbian Charter in Appendix .)

As stated in the Columbian College Charter, the "sole and exclusive purpose" was "educating youth in the English, learned, and foreign languages, the liberal arts, sciences and literature." Contributors to the college were given the right to elect the trustees numbering up to 37, for three year terms.

How quickly the sponsors of the Columbian College learned to repair any links with government which may have been hurt when the initial attempt to gain a charter were unsuccessful is shown in the type of persons included in the original list of trustees named in the Act of Charter. One was Return Jonathan Meigs, U.S. Postmaster General; another Obadiah Brown, prominent New England merchant and son of Moses Brown who encouraged Samuel Slater to set up cotton weaving machines in Providence, R.I.; Luther Rice, clergyman and educator; and Spencer Houghton Cone, later founder of

the American and Foreign Bible Society.

The section on religious tolerance is worth quoting:

> Sec. 7. And be it further enacted, that persons of every religious denomination shall be capable of being elected trustees; nor shall any person, either as president, professor, tutor, or pupil, be refused admittance into said college, or denied any of the privileges, immunities, or advantages, thereof, for or on account of his sentiments in matters of religion.

Columbian College eventually took on the name of George Washington University, as will be reported in its chronological place below. George Washington University has embodied some, though by no means all, of the characteristics of the National University. Since it has the name, it may be excused for taking a "poetic license" with history in its interpretation of its background as it does in the brochure issued by the Consortium:

> President George Washington urged Congress to establish a national university in the Federal City. He even left shares for this purpose and suggested the present site of the campus, near the White House. He hoped that students from all parts of the country would acquire the habits of good citizenship -- throwing off local prejudices, and gaining at first-hand a knowledge of government both in theory and in practice.
>
> And today, George Washington University is living up to those founding goals. . . . (7)

This quotation is correct but subject to misinterpretation, as was seen in the Chapter on the National University Movement. (Chapter I).

There is no direct connection between the Columbian College - George Washington University and the National University

proposed by the First President. That institution did not receive the shares left in the Will of George Washington; they were held by the U.S. Government without useful application until they became worthless. George Washington University, however, does fulfill some of the goals of the National University Movement, as do the four other Universities of the District, and their Consortium.

In 1833, having been encouraged by the Congressional grant to Columbian College - and perhaps instructed by the example of good governmental relations - Georgetown College sought an equivalent grant. An Act matching the Columbian College in monetary value in the form of city lots worth $25,000 eventually passed the Congress and was signed into law on March 2, 1833 by President Andrew Jackson.

Evidently the Georgetown supporters only did an adequate job of "lobbying" or supplying information to the Congressional committees as the bill passed narrowly. In the House of Representatives the vote was close; in the Senate the margin was a single vote. In the Senate the measure passed 14 to 13. It is interesting to note that Senator Daniel Webster had spoken in favor of the Bill but was not present for the actual balloting. It is possible that Webster found himself "between the Devil and the deep blue sea." Webster was a Senator from Massachusetts and at this time was probably looking ahead to being a candidate for the office of President of the United States. In 1936 he was named the Massachusetts Whig presidential candidate.

The opposition to the grant of land to Georgetown was led in the House of Representatives by Edward Everett who later, in 1846, was to become President of Harvard College. Georgetown College's major opponent was known as "a brilliant and magnetic public speaker." He shared the platform with Abraham Lincoln when the President delivered his Gettysburg Address.

While Columbian College was able to immediately enjoy the fruits of the Congressional grant to ease its financial crisis, Georgetown's experience with the Land Grant was frustrating and in the end financially disappointing. Georgetown did not receive the deeds to the lots within the District of Columbia until four years after the Law had been signed by President Jackson.

When the deeds were finally delivered, lots with a reported actual value of only one-fifth of the $25,000 specified by Congress were included. Behind-the-scenes opposition to the Land Grant to a Catholic-sponsored Col ege apparently continued long after the Act passed the two Houses of Congress. William Noland, the Commissioner loner of Public Buildings, who had the final responsibility of picking the precise lots and controlling the transfer of the deeds, took his time and seems to have gone to considerable extreme in identifying lots, or rather whole blocks, of District land that were low in actual value.

Georgetown College obviously was weak in its government relations. There are no records of what the College officials tried to do between the time President Jackson signed the Act until

1840, seven years later and three years after the delivery of the deeds.

On June 4, 1840 Thomas Carbury and William Hickey wrote to President Martin Van Buren requesting that the inferior city lots deeded to Georgetown College be taken back by the Federal Government and replaced by lots of full value (i.e. worth the $25,000 figure in the Legislation). A sworn copy of this letter was made by Thomas Carbury March 18, 1852 and is now kept in the Georgetown University Archives. The letter is not mentioned in standard histories of Georgetown such as those by John Gilmary Shea, John M. Daley, S.J. and James S. Easby-Smith, presumably because these writers were unaware of its existence.

Acting as friends of Georgetown College and at the request of the directors, Carbury and Hickey informed President Van Buren that they had recently discussed the matter with the Commissioner of Public Buildings. The Commissioner had told the Georgetown representatives "that he had selected such lots as would not readily sell, reserving the saleable lots to be otherwise disposed of." The letter also said:

> It is manifest, that the intentions of Congress to place the Georgetown College on a footing with the Columbian have been frustrated in the premises. It will readily be admitted, that it could not have been the intention of Congress to use delusive language in its acts, and that in making this grant of $25,000 in value, they did not mean nominal but real value. (8)

The letter concluded:

> The Columbian College and other Institutions to which

> grants have been made by Congress, have obtained the real value of such grants and the benevolent intentions of the Government have been fulfilled, while it would seem to be intended that the Georgetown College must be put off with a nominal grant equal perhaps to one fifth or one sixth part of what it was intended by the Government of the United States to bestow.
>
> Knowing of no reason why such an invidious distinction should be made between these Institutions, in violation of the intentions of the Government, and, without doubt in violation of your own wishes and sense of equal justice, if not altogether without your knowledge, we have in the name of the College, most respectfully to request of your Excellency that an order be given to abrogate the erroneous conveyance, or should formality require it, to recive a re-conveyance from the College, and, that the execution of this grant be made upon the same principles and in the same manner as the grants to the other Institutions before mentioned were made. (9)

This direct approach did not achieve favorable results. In fact, President Van Buren never answered the appeal, merely passing word informally that he was not going to do anything about the matter. Unknown now is why the officers and directors of Georgetown waited so long to press for a fair solution, why they accepted deeds to lots known to be so far below the value set in the Act of Congress, or why no effort was made to have Congress redress the situation. What is clear, of course, is that Georgetown had not carried out proper liaison with government departments, elected officials and members of the Congress, despite the promising beginnings with the contacts involving President Washington and the success in obtaining the first Charter in 1815.

The application of this historical example in the present

context is obvious both within the District of Columbia and throughout the United States. Grants must be won over and over again, in the Committees of the Congress, on the floor of the House and the Senate, and all during administration, in the responsible government agencies.

Georgetown seems to have learned something from the unhappy Land Grant experience. By this time it had become clear that the original 1815 Charter did not grant all the powers needed. It was decided that Georgetown needed a charter in which corporate powers were defined. A measure to this effect was introduced in the Congress in 1843. Efforts to speed its passage were blocked in a Senate vote that year. However, the Bill was passed and signed into law on June 10, 1844. (See text in Appendix). This second Charter for Georgetown College is only a third as long as the charter granted the Columbian College but it proved adequate until slightly amended in 1966 when a major purpose was to change the name from Georgetown College to Georgetown University. In the historical context when banking was such a concern of the Congress, it might be interesting to note that the 1844 Charter included a limiting provision:

> Sec. 5. And be it further enacted, That the said corporation shall not employ its funds or income, or any part thereof, in banking operations, or for any purpose other than those expressed in the first section of this act;.... (The stated purpose in the first section is "a college for the instruction of youth in the liberal arts and sciences.")

Summary

The underlying problem that encouraged Columbia and Georgetown Colleges to seek help from the government was economic in nature. The private, church-related institutions needed additional funds to carry out their education missions. The government seemed to be the only source that could meet the needs. From the viewpoint of Congress the educational missions of Columbia and Georgetown justified Federal financial assistance. The major grants were in the form of city lots in the District because that was a "cheap" method of financing for the Government. In that distant past the Federal Government had little ready "cash" and few sources of funds.

At the time of chartering of the institutions Congress made sure that there was access without religious bars. Georgetown College had been functioning on a religiously open admissions policy since its establishment more than two decades before the charter was sought. Columbia College failed in its first effort to get a charter and had to seek again the following year. Success was obtained through a liberalization of admissions.

An important lesson is illustrated in Georgetown's failure to receive full benefits from the $25,000 land grant: It is not enough to be successful with legislatures. It is essential that there be an effective follow-up through the governmental bureaucracy which existed even in the 1830s.

History does teach lessons of contemporary importance. A study of history of higher education in our country also dispells a number of myths.

NOTES

1. Jane Butzner. Constitutional Chaff - Rejected Suggestions of the Constitutional Convention of 1787. Port Washington,N.Y., Kennikat Press, 1971. p. 64.

2. Frank W. Blackmar. The History of Federal and State Aid to Higher Education in the United States. Washington,D.C., Bureau of Education, 1890. pp. 29-30.

3. John M. Daley,S.J. Georgetown University: Origin and Early Years. Washington,D.C., Georgetown University Press, 1957. p. 88.

4. Charles A. Quattlebaum. The National University Movement in the United States. Washington,D.C., The Library of Congress Congressional Reference Service, March, 1965 with an appendix dated March, 1968. p. 21.

5. Annals, 18th Congress, 1st Session, p. 787., cited by Quattlebaum.

6. Register of Debates in Congress. Vol. 8, part 3, p. 3210.

7. The Consortium of Universities of the Washington Metropolitan Area. Washington,D.C., no date. p. 10.

8. Thomas Carbury and William Hickey Letter. Georgetown University Archives, Washington, D.C. p. 1.

9. Ibid., pp 2-3.

A P P E N D I X

Charter the college of Georgetown, in the District of Columbia.

Charter of the Columbian College in the District of Columbia.

Second Charter of Georgetown College in the District of Columbia.

trict west of Pearl river, is hereby directed to pay the same to the said Margaret, out of any public money now in his hands, or which may hereafter come to his hands.

APPROVED, March 1, 1815.

STATUTE III.

March 1, 1815.

CHAP. LXX.—*An Act concerning the college of Georgetown, in the District of Columbia.*

May confer degrees.

Be it enacted, &c., That it shall and may be lawful for such persons as now are, or from time to time may be, the president and directors of the college of Georgetown, within the district of Columbia, to admit any of the students belonging to said college, or other persons meriting academical honors, to any degree in the faculties, arts, sciences, and liberal professions, to which persons are usually admitted in other colleges or universities of the United States; and to issue, in an appropriate form, the diplomas or certificates, which may be requisite to testify the admission to such degrees.

APPROVED, March 1, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXI.—*An Act authorizing the discharge of Edward Martin from imprisonment.*

To be discharged from imprisonment.

Be it enacted, &c., That the marshal of the district of Rhode Island be, and he hereby is, authorized and directed, to discharge from imprisonment Edward Martin of Newport, in the state of Rhode Island, now confined in jail at Newport, in said district, at the suit of the United States: *Provided*, That the said Edward Martin shall remain liable to the United States for the amount of the bond executed by Andrew Oburg, captain of the Swedish schooner Lichlighten, as principal, and by the said Martin and George W. Martin, sureties, and renew his obligation to the United States for said amount, payable in two years from the day of his discharge, in such form as the attorney of the United States for the district aforesaid shall think proper.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXV.—*An Act for the relief of the Eastern Branch Bridge Company.*

To be compensated for damage to the bridge.

Be it enacted, &c., That the proper accounting officers of the navy department be, and they are hereby authorized and directed to settle the claim of the Eastern Branch Bridge Company, on account of the injury done their bridge, by an order from the navy department, by ascertaining, or causing to be ascertained, the value of such injury, in such manner, and upon such terms, as may be just and reasonable.

Appropriation.

SEC. 2. *And be it further enacted*, That the amount thereof, when so ascertained, shall be paid to the president and directors of the said company, out of any money in the treasury not otherwise appropriated, to be applied to the repairing or rebuilding of the said bridge.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXVI.—*An Act for the relief of William P. Bennet, of the State of New York.*

To be discharged from imprisonment.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby authorized and required to discharge from his imprisonment William P. Bennet, of Seneca county, in the State of New York: *Provided, however*, That the said Bennet shall, previous to obtaining such discharge, comply with the provisions of the act, entitled "An act for the relief of persons imprisoned for debts due to the United States"

Act of June 6, 1798, ch. 49.

APPROVED, March 3, 1815.

Statute II.
Jan. 11, 1821.

Chap. VII.—*An Act for the relief of Perley Keyes and Jason Fairbanks.*

Bond in which they are sureties of Samuel Whittlesey to be cancelled.

Be it enacted, &c., That the Secretary of the Treasury of the United States be, and he is hereby, authorized to cancel and give up a certain bond, heretofore executed to the United States by one Samuel Whittlesey, late a paymaster of militia in the state of New York, and the said Perley Keyes and Jason Fairbanks, as sureties of the said Whittlesey:

Proviso.

Provided, That the said Keyes and Fairbanks shall first execute another bond to the said United States, with sufficient sureties, to be approved of by the said Secretary of the Treasury, for what shall appear to be due to the said United States, payable, with interest, in two years from the passing of this act.

Approved, January 11, 1821.

Statute II.
Jan. 17, 1821.

Chap. IX.—*An Act for the relief of Margaret Perry.*

Warrant for bounty land to be issued to her.

Be it enacted, &c., That the Secretary of the Department of War be, and he is hereby, directed to issue to Margaret Perry, a land warrant for the bounty land to which her son, William Valiant, a soldier, who died in the service of the United States, would have been entitled had he lived.

Approved, January 17, 1821.

Statute II.
Feb. 9, 1821.

Chap. X.—*An Act to incorporate the Columbian College in the District of Columbia.*

Object of the college.

Be it enacted, &c., That there be erected, and hereby is erected and established, in the District of Columbia, a college, for the sole and exclusive purpose of educating youth in the English, learned, and foreign languages, the liberal arts, sciences, and literature; the style and title of which shall be, and hereby is declared to be, "The Columbian College in the District of Columbia."

Government.

Triennial elections.

Sec. 2. *And be it further enacted*, That the said college shall be under the management, direction, and government of a number of trustees, not exceeding thirty-one, to be elected triennially, by the contributors to the said college, qualified to vote, in such manner, and under such limitations and restrictions, as may be provided by the ordinances of the college, on the first Monday in May; and that the first trustees of the said college shall consist of the following persons, viz: Obadiah B. Brown, Luther Rice, Enoch Reynolds, Josiah Meigs, Spencer H. Cone, Daniel Brown, Return J. Meigs, Joseph Gibson, Joseph Cone, Thomas Corcoran, Burgis Allison, Thomas Sewall, and Joseph Thaw:

Trustees a body politic.

Corporation may hold property.

which said trustees, and their successors, shall forever hereafter be, and they are hereby declared to be, one body politic and corporate, with perpetual succession, in deed and in law, to all intents and purposes whatsoever, by the name, style, and title of "The Columbian College in the District of Columbia;" by which name and title, they, the said trustees, and their successors, shall be competent and capable, at law and in equity, to take to themselves and their successors, for the use of the said college, any estate, in any messuage, lands, tenements, hereditaments, goods, chattels, moneys, and other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest, of any person or persons whatsoever:

Proviso.

Provided, The same do not exceed, in the whole, the yearly value of twenty-five thousand dollars; and the same messuages, lands, tenements, hereditaments, and estate, real and personal, to grant, bargain, sell, convey, assure, demise, and to farm let, and place out on interest, for the use of the said college, in such manner as to them, or at least nine of them, shall seem most beneficial to

the institution, and to receive the rents, issues, and profits, income and interest, of the same, and to apply the same to the proper use and benefit of the said college: and by the same name to sue, commence, prosecute, and defend, implead and be impleaded, in any courts of law and equity, and in all manner of suits and actions whatsoever, and generally, by and in the same name, to do and transact all and every the business touching or concerning the premises.

Common seal.

Sec. 3. *And be it further enacted*, That the said trustees shall cause to be made for their use one common seal, with such devices and inscriptions thereon as they shall think proper, under and by which all deeds, diplomas, certificates, and acts of the said college, shall pass and be authenticated; and the same seal, at their pleasure, to break, and devise a new one.

Trustees, when and where to meet.

Sec. 4. *And be it further enacted*, That the said trustees, or five of them at least, shall meet at the college, on College Hill, in the said District of Columbia, on the first Monday in March next, for the purpose of concerting and agreeing to such business as, in consequence of this act, shall be proper to be laid before them at the commencement of the work they have undertaken, and shall have power to adjourn from time to time, as they shall see cause, to any other times or places, for the purpose of perfecting the same. That there shall be a stated meeting of the said trustees held twice in every year at least, at such place and time as the said trustees, or a quorum thereof, shall appoint, of which public notice shall be given, after the first meeting, at least twenty days before [the] time of such intended meeting, whenever the president, to be appointed by them, shall deem the business of the institution to require the same, and give due notice thereof, which he is hereby authorized to do; and if, at such stated or occasional meetings, five of the said trustees shall not be present, those of them who shall be present, shall have power to adjourn the meeting to any other day, as fully and effectually, to all intents and purposes, as if the whole number of trustees for the time being were present; but, if five or more of the said trustees shall meet at the said appointed times, or at any other time of adjournment, then such five of the said trustees shall be a board or quorum, and a majority of the votes of them shall be capable of doing and transacting all the business and concerns of the said college not otherwise provided for by this act; and particularly of making and enacting ordinances for the government of the said college; of electing and appointing the president, professors, and tutors, for the said college; of agreeing with them for their salaries and stipends, and removing them for misconduct, or breach of the laws of the institution; of appointing committees of their own body to carry into execution all and every the resolutions of the board; of appointing a president, treasurer, secretary, stewards, managers, and other necessary and customary officers, for taking care of the estate and managing the concerns of the corporation; and, generally, a majority of voices of the board, or quorum of the said trustees, consisting of five persons at least, at any semi-annual, occasional, or adjourned meeting, after notice given as aforesaid, shall determine all matters and things (although the same be not herein particularly mentioned) which shall occasionally arise, and be incidentally necessary to be determined and transacted by the said trustees: *Provided always*, That no ordinances shall be of force which shall be repugnant to this charter, or to the laws of the District of Columbia.

Stated meetings.

Five trustees a board or quorum for business.

Powers of the board of trustees.

Proviso.

The president, professors and tutors cannot be trustees.

Sec. 5. *And be it further enacted*, That the head or chief master for the said college shall be called and styled "The President," and the masters thereof shall be called "Professors and Tutors;" but neither president, professors, or tutors, while they remain such, shall ever be capable of the office of trustee.

Sec. 6. *And be it further enacted*, That the president, professors,

and tutors, or a majority of them, shall be called and styled "The Faculty of the College," which faculty shall have the power of enforcing the rules and regulations adopted by the trustees for the government of the pupils, by rewarding or censuring them, and, finally, by suspending such of them as, after repeated admonitions, shall continue disobedient and refractory, until a determination of a quorum of the trustees can be had; and of granting and confirming, by and with the approbation and consent of a board of the trustees, signified by their mandamus, such degrees in the liberal arts and sciences, to such pupils of the institution, or others, who, by their proficiency in learning, or other meritorious distinction, they shall think entitled to them, as are usually granted and conferred in colleges; and to grant, to such graduates, diplomas or certificates, under their common seal, and signed by the faculty, to authenticate and perpetuate the memory of such graduation.

President, professors, &c. to be called the faculty.

Powers of the faculty.

Sec. 7. *And be it further enacted*, That persons of every religious denomination shall be capable of being elected trustees; nor shall any person, either as president, professor, tutor, or pupil, be refused admittance into said college, or denied any of the privileges, immunities, or advantages, thereof, for or on account of his sentiments in matters of religion.

No preference or exclusion on account of religious sentiments.

Sec. 8. *And be it further enacted*, That no misnomer of the said corporation shall defeat or annul any gift, grant, devise, or bequest, to or from the said corporation: *Provided*, The intent of the parties shall sufficiently appear upon the face of the gift, grant, will, or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

No misnomer to defeat or annul any gift, &c.

Proviso.

Sec. 9. *And be it further enacted*, That the constitution of the said college, herein and hereby declared and established, shall be, and remain, the inviolate constitution of the said college forever; and the same shall not be altered, or alterable, by any ordinance or law of the said trustees: *Provided*, That it may be lawful for the Congress of the United States to revoke and repeal this act, at any and at all times whenever they shall think fit so to do.

This constitution to remain inviolate, forever.

Proviso.

Sec. 10. *And be it further enacted*, That it shall be the duty of the said board of trustees to keep a regular book or journal, in which shall be entered, under their direction, besides an account of all their ordinary acts and proceedings, all the by-laws, ordinances, rules, and regulations, which may be adopted by the said board, for their own government, and for the government of the institution; also, a schedule of all the property and effects, real, personal, or mixed, which shall or may be vested in the said trustees, for the use of the said college, by virtue of any gift, grant, bargain, sale, will, or otherwise, together with annual statements concerning the accounts and finances of the institution. That it shall, moreover, be the duty of the said trustees, to cause to be enrolled, in the said book or journal, the names of all the contributors to the institution qualified to vote for trustees, with their respective places of residence; and the said book or journal, shall, at all times, be open to the inspection or examination of the Attorney General of the United States; and, when required by either house of Congress, it shall be the duty of the said trustees to furnish any information respecting their own conduct, the state of the institution, and of its finances, which shall or may be so required.

Board of trustees to keep a journal.

Contributors qualified to vote for trustees, to be enrolled in the journal.

Journal subject to the inspection of the Attorney-General.

Sec. 11. *And be it further enacted*, That in case any vacancy or vacancies shall happen in the board of trustees aforesaid, by death, inability, resignation, or otherwise, at any time between the stated or triennial elections, that then it shall and may be lawful for the other trustees, or any five of them, to proceed, at any subsequent meeting after the happening of such vacancy or vacancies, to choose, by ballot, any suitable person or persons to fill the same.

Trustees may fill vacancies in the board.

Rights, &c. under this act, forfeited by a misapplication of the funds.

Sec. 12. *And be it further enacted*, That the employment or application of the funds or income of the said corporation, or any part thereof, for any purpose or object other than those expressed and defined in the first section of this act, or the investment thereof in any other mode than is described and provided in the second section thereof, shall be deemed and taken to be a forfeiture of all the rights and immunities derived from this act, and the same shall, thenceforth, cease, and become null and void.

Approved, February 9, 1821.

Statute II.

March 2, 1821.

Chap. XIX.—*An Act for the relief of James Brady.*

Duplicate of military land warrant No. 577, to be issued.

Location.

Be it enacted, &c., That the Secretary of War cause to be issued to James Brady a duplicate of military land warrant number five hundred and seventy-seven, for two hundred acres, which, on the twenty-eighth of March, one thousand eight hundred and twelve, issued to him as assignee of John Barclay, a lieutenant of the Pennsylvania line in the revolutionary war, and has been lost, which duplicate may be located on any vacant parts of the fifty quarter townships, and fractional quarter townships, reserved by law for the holders of military warrants, in lieu and satisfaction of said warrant number five hundred and seventy-seven, which is hereby declared to be null, void, and of none effect.

Approved, March 2, 1821.

Statute II.

March 2, 1821.

Chap. XX.—*An Act for the relief of Rosalie P. Deslonde.*

To be paid for damages done to her houses, &c., by U. S. troops.

Be it enacted, &c., That there be paid to Rosalie P. Deslonde, or her legal representatives, out of any money in the Treasury not otherwise appropriated, the sum of two thousand two hundred and twenty-seven dollars, in full for damages done to her houses and plantation, by the troops of the United States, near New Orleans, during the invasion of that place by the British, in the years one thousand eight hundred and fourteen and fifteen.

Approved, March 2, 1821.

Statute II.

March 2, 1821.

Chap. XXI.—*An Act for the relief of Samuel Tucker, late a Captain in the Navy of the United States.*

To be placed on the list of invalid pensioners.

Be it enacted, &c., That the Secretary of the Navy be, and hereby is, directed to place upon the navy list of invalid pensioners of the United States, Samuel Tucker, late a captain in the navy of the United States, who is unable, by reason of age, to support himself by labor; and who having, by his bravery and long and faithful services, merited the gratitude of his country, shall be entitled to receive a pension of twenty dollars a month, to commence from the first day of January, one thousand eight hundred and eighteen, agreeably to the provisions contained in the act, entitled "An act for the better government of the navy of the United States."

Act of April 23, 1800, ch. 33.

Approved, March 2, 1821.

Statute II.

March 2, 1821.

Chap. XXII.—*An Act for the relief of Nicholas Jarrott.*

Authorized to enter 400 acres within the Vandalia district.

Be it enacted, &c., That Nicholas Jarrott, the legal representative of Francois Arcoit, or the legal representative of him, the said Nicholas, be, and he is hereby, authorized to locate four hundred acres, consisting of one entire half section, and one half quarter section, adjoining thereto, and in the same section, of any of the public land within the Vandalia district, established for the sale of the public lands in the state of Illinois, which may be already surveyed, and which, having been offered for sale previous to the first day of January, one thousand eight hundred

and forty-three, to the fourth of March, one thousand eight hundred and forty-four.

Entitled to benefit of all laws affecting said act.

Sec. 2. *And be it further enacted*, That said Abigail Gibson shall be entitled to the full benefit of all laws and resolves which shall hereafter be passed continuing in force the said act of seventh July, one thousand eight hundred and thirty-eight, and the several acts and resolves amendatory thereof.

Approved, May 31, 1844.

Statute I.

June 4, 1844.

Chap. XL.—*An Act for the relief of Benjamin B. Ferguson.*

To be placed on pension roll.

Be it enacted, &c., That the Secretary of War be, and he is hereby, required to place the name of Benjamin B. Ferguson, of the state of Pennsylvania, on the roll of invalid pensioners, at the rate of five dollars and fifty cents per month; said pension to commence on the first day of January, one thousand eight hundred and thirty-eight, and to continue during his natural life.

Approved, June 4, 1844.

Statute I.

June 10, 1844.

Chap. XLI.—*An Act to incorporate Georgetown College in the District of Columbia.*

To be called "The President and Directors of Georgetown College."

James Ryder and others incorporated.

Be it enacted, &c., That there be erected, and hereby is erected, in Georgetown, in the District of Columbia, a college for the instruction of youth in the liberal arts and sciences, the name, style, and title of which shall be "the President and Directors of Georgetown College."

Sec. 2. *And be it further enacted*, That James Ryder, Thomas Lilly, Samuel Barber, James Curley, and Anthony Rey, be, and they are hereby declared to be, a body politic and corporate, with perpetual succession in deed or in law, to all intents and purposes whatsoever, by the name, style, and title of "the President and Directors of Georgetown College," by which name and title they and their successors shall be competent, at law and in equity, to take to themselves and their successors, for the use of said college, any estate whatsoever, in any messuage, lands, tenements, hereditaments, goods, chattels, moneys, and other effects, by gift, bequest, devise, grant, donation, bargain, sale, conveyance, assurance, or will; and the same to grant, bargain, sell, transfer, assign, convey, assure, demise, declare to use and farm let, and to place out on interest for the use of said college, in such manner as to them, or a majority of them, shall be deemed most beneficial to said institution; and to receive the same, their rents, issues, and profits, income and interest, and to apply the same for the proper use and benefit of the said college; and by the same name to sue and be sued, to implead and be impleaded, in any courts of law and equity, in all manner of suits, actions, and proceedings whatsoever, and generally, by and in the same name, to do and transact all and every the business touching or concerning the premises: *Provided*, That the same do not exceed the value of fifty thousand dollars nett annual income, over and above and exclusive of the receipts for the education and support of the students of said college.

Powers of the corporation.

Proviso.

To have a common seal.

Sec. 3. *And be it further enacted*, That the said corporation shall adopt a common seal, under and by which all deeds, diplomas, and acts of the said college or corporation, shall pass and be authenticated, and the same seal at their pleasure to break and alter, or devise a new one.

Misnomer not to defeat a donation, &c.

Sec. 4. *And be it further enacted*, That no misnomer of the said corporation shall defeat or annul any donation, gift, grant, devise, or bequest, to or from the said corporation.

Funds not to be employed in banking operations.

Sec. 5. *And be it further enacted*, That the said corporation shall not employ its funds or income, or any part thereof, in banking operations, or for any purpose or object other than those expressed in the first

section of this act; and that nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

Act may be altered, &c.

Approved, June 10, 1844.

Statute I.
June 10, 1844.

Chap. XLII. — *An Act for the relief of Edward Kennard.*

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, directed to pay to Edward Kennard the sum of fifty dollars. The same being one moiety of the penalty collected of the said Kennard, by the collector of the port of New Orleans, in the year one thousand eight hundred and forty-two, for a breach of the revenue laws: it having been made to appear that the said penalty was incurred without wilful negligence, and without any design to violate the law.

Payment to him, being one moiety of a certain penalty.

Approved, June 10, 1844.

Statute I.
June 10, 1844.

Chap. XLIII. — *An Act for the relief of Daniel G. Skinner, of Alabama.*

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and directed to audit and adjust the account of Daniel G. Skinner, of Alabama, for supplies of ammunition and subsistence, alleged to have been taken by military authority in May, one thousand eight hundred and thirty-six, for the necessary use and support of the Alabama militia, then in the service of the United States. And that he pay to said Skinner whatever balance, if any, there may be found due to him, out of any money in the treasury not otherwise appropriated.

Accounts to be settled, &c.

Approved, June 10, 1844.

Statute I.
June 12, 1844.

Chap. XLVIII. — *An Act for the relief of Joseph Bryan, Harrison Young and Benjamin Young.*

Be it enacted, &c., That the claim and title of Joseph Bryan, Harrison Young, and Benjamin Young, to the north half of section nineteen, in township twenty-one, in range twenty-four, in the Tallapoosa land district, in the state of Alabama, purchased by them jointly of Benjamin Chambers, the head of a Creek Indian family, who was entitled to the same under the provisions of the treaty between the United States and the Creek tribe of Indians, concluded on the twenty-fourth of March, one thousand eight hundred and thirty-two, be, and the same is hereby confirmed.

Land claim confirmed.

Approved, June 12, 1844.

Statute I.
June 15, 1844.

Chap. LXXVI. — *An Act for the relief of George Wallis.*

Be it enacted, &c., That the Secretary of War of the United States be, and he is hereby, directed to pay to George Wallis the sum of three thousand dollars, it being for the destruction of the cattle of the said George Wallis by the Sac, Fox, and Iowa tribes of Indians: and that said sum of money be paid out of the annuities payable to said tribes of Indians in equal proportions: that is to say, one thousand five hundred dollars out of the annuities due the Sac and Fox's of the Missouri river, and one thousand five hundred dollars out of the annuities due the Iowas.

Payment for cattle destroyed by Indians.

Approved, June 15, 1844.

Statute I.
June 15, 1844.

Chap. LXXVII. — *An Act authorizing a patent to be issued to Joseph Campau for a certain tract of land in the state of Michigan.*

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and required to cause to be issued to Joseph